

Remarks

As stated in the Office Action, claim 6 has been objected to because of a typographical informality. Claim 6 has also been rejected under 35 U.S.C. § 103(a) as being unpatentable over Ryan in view of Rouleau. For the reasons set forth below, Applicant respectfully traverses these rejections.

Discussion of the Objections

Applicant has amended claim 6 with the language suggested by the Examiner in the Office Action in order to correct the typographical error. Applicant thanks the Examiner for his suggestion, and believes the objection can now be withdrawn.

Discussion of the §103 Rejection

In the Office Action, claim 6 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Ryan in view of Rouleau. Applicant respectfully traverses this rejection.

Consistent with the Patent Law, as set forth in title 35 of the United States Code, the examiner bears the burden of establishing a *prima facie* case of obviousness. “If the examiner does not produce a *prima facie* case, the applicant is under no obligation to submit evidence of non-obviousness.” MPEP § 2142. To establish a *prima facie* case of obviousness, the Examiner must show, among other criteria, that the prior art reference (or combined references) teach all the claim limitations. *Id.* As seen, Ryan in view of Rouleau does not disclose each and every element of Applicant’s claims.

According to the Examiner, Ryan discloses all of the elements of claim 6, except that Ryan does not disclose the feature of a means for supporting the head form in a generally upright position disposed at a bottom part of the head form. Specifically,

according to the Examiner, Ryan discloses, among other elements, "...a hair wig formed of human hair and having a forward hairline region and a rearward body region...." See, e.g., Office Action, at page 3. However, Applicant respectfully submits that this is a misinterpretation of the Ryan reference. As stated, Applicant's claim 6 requires, among other elements, "a hair wig formed of human hair." This is not disclosed by Ryan.

Specifically, Ryan expressly discloses a headpiece 12 that includes "strands of artificial hair 20..." (emphasis added). Col. 2, Ins. 14 – 15. See also col. 2, Ins. 32 – 34, "[t]he synthetic or artificial hair 20 may be sewn onto the cap 18 in a conventional manner..." (emphasis added). As such, this element is not taught by Ryan.

Moreover, Ryan specifically teaches away from Applicant's invention. Specifically, Applicant's invention is "an educational hair system for teaching hair styling, cutting, coloring and perming." Accordingly, the human-hair wig required by Applicant's claims is, among other things, specifically designed to be cut, colored and otherwise permanently altered in appearance. Artificial hair is not acceptable for training in these practices. In stark contrast, Ryan discloses changing the appearance of its doll by disengaging a hair piece, then engaging a new, different hair piece, rather than altering any of the headpieces in any way. "By using a variety of headpieces 12 each with a different hair style or color, the appearance and 'personality' of a doll can be varied...." Col. 2, Ins. 18 – 20.

As such, the combination of Ryan in view of Rouleau does not teach all of Applicant's claim limitations, as required by MPEP § 2142. Therefore, the Examiner has not met his burden to establish a *prima facie* case of obviousness, and Applicant respectfully submits that this rejection should be withdrawn.

Conclusion

It is believed that Applicant has addressed all of the outstanding matters and it is requested that this application be granted a Notice of Allowance at the earliest possible date. Please contact the undersigned attorney if there are any questions.

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